

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

MICHAEL V. TOW,	)	
	)	
Plaintiff	)	
	)	
vs.	)	No. CIV-06-1171-C
	)	
MICHAEL J. ASTRUE,	)	
Commissioner, Social Security	)	
Administration,	)	
	)	
Defendant	)	

ORDER AFFIRMING REPORT AND RECOMMENDATION

This action for judicial review of the Commissioner's denial of supplemental security income benefits was referred for initial proceedings to United States Magistrate Judge Bana Roberts consistent with 28 U.S.C. § 636(b)(1)(B). Judge Roberts entered her Report and Recommendation on September 30, 2001, recommending that the decision of the Commissioner be affirmed. Plaintiff, through counsel, has timely filed an objection to this report, and the Court therefore considers the matter de novo.

In her thorough and well-reasoned Report and Recommendation, Judge Roberts sets out the relevant facts and prevailing law, and no purpose would be served to repeat those here. Plaintiff asserts two objections: (1) that the Administrative Law Judge's ("ALJ") findings regarding Plaintiff's residual functional capacity and his previous relevant work are incomplete and based on insufficient evidence, and (2) that the ALJ's conclusion that Plaintiff's allegations of limitations based on pain are not credible is insufficiently explained.

The Court has reviewed the administrative record, the Report and Recommendation, and Plaintiff's objection, and agrees with Judge Roberts' analysis. The ALJ considered appropriate evidence, applied the correct standards, and gave adequate reasons for the finding of no disability. There is substantial evidence to support the result.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and the decision of the Commissioner denying disability benefits is affirmed. A judgment shall enter accordingly.

IT IS SO ORDERED this 31st day of July, 2007.

  
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ROBIN J. CAUTHRON  
United States District Judge